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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

JOHNATHAN TALBOT,

Plaintiff,

v.

MANOAH AINUU, *et al.*,

Defendants.

Case No. 2:23-cv-00066-BMM

NOTICE OF CROSS-APPEAL

TO THE CLERK OF COURT:

PLEASE TAKE NOTICE that Defendant VF Outdoor, LLC d/b/a The North Face (“TNF”) hereby cross-appeals to the United States Court of Appeals for the Ninth Circuit that portion of the Order entered in this case on March 1, 2024 denying TNF’s Special Motion for Expedited Relief under Revised Code of Washington Section 4.105.020 and thereby rejecting TNF’s request for attorneys’ fees and costs thereunder. *See* ECF No. 38, at 10-12, 25(1) (the “March 1, 2024 Order”). The March 1, 2024 Order was incorporated into the final judgment entered by the Court on March 13, 2024. *See* ECF No. 39.

TNF’s Representation Statement is attached to this Notice as required by Ninth Circuit Rule 3-2(b).

Respectfully submitted this 3rd day of April, 2024.

By: /s/ Peter Michael Meloy
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REPRESENTATION STATEMENT

Pursuant to Ninth Circuit Rule 3-2(b), TNF identifies the following parties to this action, their counsel of record, and counsels' contact information.

1. Plaintiff-Appellant Johnathan Talbot

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3. **Defendant-Appellee/Cross-Appellant VF Outdoor, LLC d/b/a The North Face**

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CERTIFICATE OF SERVICE

I hereby certify that on 3 April 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record pursuant to the Local Rules.

/s/ Leita Walker

Leita Walker